

REMARKS

Applicant thanks the Examiner for the very thorough consideration given the present application. Claims 1 through 15 and 20 through 36 are currently pending in the application. Claims 16 through 19 have been canceled, Claims 1, 3, 8, 10, 12, 14 and 15 have been amended and Claims 20 through 36 are newly presented. Support for the new claims and bases for the amendments can be found throughout the specification, claims and drawings as originally filed and as such, no new matter has been presented. The new claims are presented herein to provide the Applicant with a scope of protection commensurate with their contribution to the art.

Applicant also thanks the Examiner for the courtesies extended in a telephonic conference with the undersigned attorney on the afternoon of December 23, 2002. During this conference, a proposed amendment to Claim 1 (which is identical to the amendment to Claim 1 that is formally presented herein) was discussed. The Examiner and the undersigned attorney agreed that this proposed amendment overcame the rejection of Claim 1, but no other agreements were made.

The Examiner is respectfully requested to reconsider and withdraw the rejections in view of the above amendments and remarks set forth below.

Claim Amendments and Claim Rejections Based on 35 U.S.C. §§102 & 103

Claims 1 through 5 and 8 through 10 have been rejected under 35 U.S.C. §102(b) as being anticipated by U.S. Patent No. 5,629,574 to Cognetti. Claims 6, 7 and 11 through 14 have been rejected under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent No. 5,629,574 to Cognetti in view of U.S. Patent No. 4,499,523 to Gillett. These rejections are respectfully rendered moot.

Claims 1, 8 and 15 have been amended to further define the housing as defining a cavity and having an integrally formed sidewall with a bulge therein. The cavity is

configured to receive a rotor, while the bulge, which is offset from the cavity, is sized to receive a capacitor assembly. The hollow area of the bulge is bounded by the sidewall in a direction radially outwardly from the cavity. Applicant submits, and the Examiner has agreed (as noted above) that these limitations are not taught or suggested by the '574 patent to Cognetti or the combination of the '574 patent to Cognetti and the '523 patent to Gillett. Accordingly, Applicant respectfully requests that the Examiner reconsider and withdraw the rejection of Claims 1, 8 and 15 under 35 U.S.C. §102(b).

Applicant notes that Claims 2 through 7 depend from Claim 1 and as such, should be in condition for allowance for the reasons set forth for Claim 1, above.

Applicant notes that Claims 9 through 14 and 20 through 22 depend from Claim 8 and as such, should be in condition for allowance for the reasons set forth for Claim 8, above.

Applicant notes that new Claims 23 through 26 depend from Claim 15 and as such, should be in condition for allowance for the reasons set forth for Claim 15, above.

Applicant also submits that newly presented Claim 27 is also patentable over the '574 patent to Cognetti and the '523 patent to Gillett. In this regard, Claim 27 presents the subject matter of Paragraph 4 of the above-referenced Office Action, which is entitled "Examiner Suggestion". Applicant notes, too that Claim 27 is similar in scope to originally filed Claim 1 (i.e., Claim 1 in its unamended condition), with the exception of the word "entire". As the Examiner had stated that the combination of the '574 patent to Cognetti and the '523 patent to Gillett did not teach or suggest an electronically commutated brushless motor having a motor housing with a bulge formed in its sidewall and a capacitor assembly housed entirely in said bulge, Applicant respectfully submits that newly presented Claim 27 is in condition for allowance.

Applicant notes that Claims 28 through 36 depend from Claim 27 and as such, should be in condition for allowance for the reasons set forth for Claim 27, above.

CONCLUSION

All of the stated grounds of rejection have been properly traversed, accommodated or rendered moot. Applicant therefore respectfully requests that the Examiner reconsider all presently outstanding rejections and that they be withdrawn. It is believed that a full and complete response has been made to the outstanding office action, and as such, the present application is in condition for allowance. If the Examiner believes that personal communication will expedite prosecution of this application, the Examiner is invited to telephone the undersigned attorney at (248) 641-1600.

Prompt and favorable consideration of this amendment is respectfully requested.

Respectfully submitted,



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APPENDIX FOR AMENDMENTS TO CLAIMS

U.S. Serial No. 10/029,197

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The claims have been amended as follows:

1. (Amended) An electronically commutated brushless motor comprising:
a motor housing defining a cavity which is configured to at least partially receive a rotor, the motor housing including an integrally formed sidewall having a bulge therein, the bulge defining a hollow area that is offset from the cavity, the hollow area being bounded by the sidewall in a direction radially outwardly of the cavity; and
[a bulge formed in a sidewall of said motor housing; and]
a capacitor assembly including a printed circuit board and at least one capacitor, said capacitor assembly housed in said bulge and electronically controlling commutation of the electronically commutated brushless motor.
3. (Amended) The motor of Claim 1, wherein said bulge comprises a plurality of channels located along an inside surface of [a] the sidewall [of said bulge].
8. (Amended) A method for constructing an electronically commutated brushless motor, said method comprising:
[providing] forming a motor housing [having a bulge formed in a sidewall of the motor housing] with a cavity that is configured to at least partially receive a rotor, the motor housing including an integrally formed sidewall having a bulge therein, the bulge defining a hollow area that is offset from the cavity, the hollow area being bounded by the sidewall in a direction radially outwardly of the cavity;
providing a capacitor assembly; and
slideably inserting the capacitor assembly into the bulge.

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10. (Amended) The method of Claim 9, wherein [slideably inserting comprises: providing a plurality of channels along an inside surface of a sidewall of the bulge; and slidably inserting the longitudinal edges of the capacitor PCB in the channels] the motor housing includes a pair of capacitor assembly engagement features that are formed on an inside surface of the sidewall proximate the bulge, wherein the capacitor PCB includes a pair of longitudinal edges and wherein the step of slidably inserting the capacitor assembly includes engaging the longitudinal edges of the capacitor PCB to the capacitor assembly engagement features.

12. (Amended) The method of Claim 11, wherein [slideably inserting comprises: providing a plurality of channels along an inside surface of a sidewall of the bulge; and slidably inserting the stiffeners in the channels] the motor housing includes a pair of capacitor assembly engagement features that are formed on an inside surface of the sidewall proximate the bulge and wherein the step of slidably inserting the capacitor assembly includes engaging the longitudinal edges of the capacitor PCB to the capacitor assembly engagement features.

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14. (Amended) The method of Claim 13, wherein [slidably inserting comprises: providing a plurality of channels located along an inside surface of a sidewall of the bulge, the channels having a tapered shape corresponding to the tapered shape of the drafted stiffeners; and slidably inserting the drafted stiffeners in the tapered channels] the motor housing includes a pair of capacitor assembly engagement features that are formed on an inside surface of the sidewall proximate the bulge, the engagement features having a tapered shape corresponding to the tapered shape of the drafted stiffeners, and wherein the step of slidably inserting the capacitor assembly includes engaging the longitudinal edges of the capacitor PCB to the capacitor assembly engagement features.

15. (Amended) An electronically commutated brushless motor comprising:
a motor housing [comprising a bulge formed in a sidewall of said motor housing] with a cavity that is configured to at least partially receive a rotor, the motor housing including an integrally formed sidewall and a plurality of capacitor assembly engagement features, the sidewall having a bulge therein, the bulge defining a hollow area that is offset from the cavity, the hollow area being bounded by the sidewall in a direction radially outwardly of the cavity, the capacitor assembly engagement features being integrally formed with the sidewall and being located in a vicinity of the bulge; and

[a plurality of channels located along an inside surface of a sidewall of said bulge; and]

a capacitor assembly slideably inserted in said bulge [utilizing said channels] and engaging the capacitor assembly engagement features.